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BEFORE THE ARIZONA CORPORATION COMMISSION

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Arizona Corporation Commission

COMMISSIONERS

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JEFF HATCH-MILLER, Chairman  
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AZ CORP COMMISSION  
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MAR 23 2005

DOCKETED BY

IN THE MATTER OF THE APPLICATION OF  
JOHNSON UTILITIES COMPANY, L.L.C. FOR  
AN EXTENSION OF ITS EXISTING  
CERTIFICATE OF CONVENIENCE AND  
NECESSITY FOR WATER AND WASTEWATER  
SERVICE.

DOCKET NO. WS-02987A-04-0288

**FOURTH**  
**PROCEDURAL ORDER**

**BY THE COMMISSION:**

On April 14, 2004, Johnson Utilities Company, L.L.C. ("JUC" or "Applicant"), filed an application for an extension of its Certificate of Convenience and Necessity ("Certificate") with the Arizona Corporation Commission ("Commission") to provide public water and wastewater utility service to various parts of Pinal County, Arizona.

On May 13, 2004, pursuant to A.A.C. R14-2-411(C), the Commission's Utilities Division ("Staff") issued a notice of insufficiency to JUC.

On January 5, 2005, pursuant to A.A.C. R14-2-411(C), Staff issued a notice of sufficiency.

On January 12, 2005, by Procedural Order, a hearing was scheduled on March 24, 2005.

On January 21, 2005, Diversified Water Utility, Inc. ("Diversified") filed an application to intervene in the proceeding stating that it had a competing application pending in Docket No. W-02859A-04-0844.

On January 25, 2005, JUC filed its opposition to Diversified's application to intervene and stated that Diversified's application with respect to Docket No. W-02859A-04-0844 is for a different area than the area which JUC is seeking in this proceeding.

On January 27, 2005, Staff filed its response in opposition to Diversified's application to intervene and stated that, after its review of the area sought to be certificated by JUC herein, Diversified's application in Docket No. W-02859A-04-0844 did not involve the same area and Diversified's application to intervene should be denied.

1 On February 2, 2005, by Procedural Order, Diversified's application to intervene was denied.

2 On February 24, 2005, Staff filed what was captioned "Motion to Continue" ("Motion") the  
3 due date for the filing of the Staff Report from February 25, 2005, to March 4, 2005. Staff indicated  
4 that JUC does not oppose the Motion.

5 On February 28, 2005, by Procedural Order, Staff's Motion was granted.

6 On March 23, 2005, Staff and JUC filed what was captioned "Joint Stipulation to Continue  
7 Evidentiary Proceeding" ("Stipulation") wherein the parties agreed that the hearing date of March 24,  
8 2005, would be used for the taking of public comment only and that the evidentiary portion of the  
9 proceeding be continued to April 19, 2005. JUC further stipulated to waive the time-clock rule due to  
10 the continuance.

11 Accordingly, the Stipulation is reasonable and should be granted.

12 IT IS THEREFORE ORDERED that the Joint Stipulation to Continue Evidentiary Proceeding  
13 until April 19, 2005, is hereby granted.

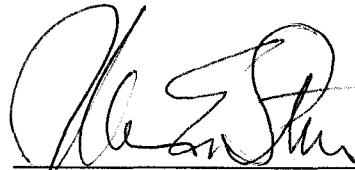
14 IT IS FURTHER ORDERED that the hearing scheduled for March 24, 2005, at 9:30 a.m., at  
15 the Commission's offices, 1200 West Washington Street, Phoenix, Arizona shall be for the taking of  
16 public comment only.

17 IT IS FURTHER ORDERED that the evidentiary portion of the proceeding shall be continued  
18 to April 19, 2005, at 9:30 a.m.

19 IT IS FURTHER ORDERED that the time-clock shall be suspended for a commensurate  
20 period with that of the continuance.

21 IT IS FURTHER ORDERED that the presiding Administrative Law Judge may rescind, alter,  
22 amend, or waive any portion of this Procedural Order either by subsequent Procedural Order or by  
23 ruling at hearing.

24 DATED this 23<sup>rd</sup> day of March, 2005

  
\_\_\_\_\_  
MARC E. STERN  
ADMINISTRATIVE LAW JUDGE

Copies of the foregoing mailed/delivered  
this 23 day of March, 2005 to:

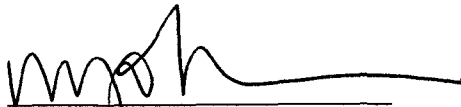
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By:

  
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